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FACSIMILE TRANSMITTAL SHEET

TO:	Examiner Amy Jo Sterling - Art Unit 3632	FROM:	David M. Kleiman
COMPANY:	USPTO	DATE:	11/18/2004
FAX NUMBER:	(703) 872-9306	TOTAL NO. OF PAGES INCLUDING COVER:	19
PHONE NUMBER:	(703) 308-3271	SENDER'S REFERENCE NUMBER:	
RE:	Application No. 10/604,428 Charles Ay Confirmation No. 1427 Response to 8/5/04 Office Action		

☐ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS:

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Application No. 10/604,428
Confirmation No. 1427
Attorney Docket No. D9446

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of Charles Ay
Application No. 10/604,428
Filed July 21, 2003
Art Unit: 3632
Examiner: Sterling, Amy Jo

RECESSED HANGING APPARATUS

**RETRANSMISSION OF
RESPONSE TO OFFICE ACTION MAILED AUGUST 5, 2004**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Attention: Amy Jo Sterling

Dear Madam:

Today the undersigned telephoned to confirm receipt of the November 5, 2004 fax transmission of Applicant's response to the August 5, 2004 Office Action. It was learned that the Office does not have a record of the fax transmission.

Accordingly, the response along with the November 5, 2004 Certificate of Transmission and a copy of the sending unit's report confirming transmission is being retransmitted herewith, and Applicant respectfully requests that the Office accord the response a November 5, 2004 receipt date. 37 C.F.R. §1.8.

The undersigned personally transmitted the Response and Certificate of Transmission on November 5, 2004, which as evidence by the sending unit

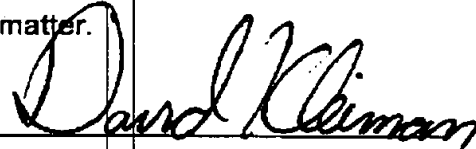
Application No. 10/604,428
Confirmation No. 1427
Attorney Docket No. D9446

report, was successfully transmitted. After today's telephone call, subsequent examination of the November 5, 2004 facsimile revealed that the transmission was inadvertently transmitted to the technology center's fax number for informal amendments, instead of the fax number for formal amendments. Perhaps this explains why the Response has not yet been entered in the record.

Applicant believes that the transmission was still timely received by the Office pursuant to 37 C.F.R. §1.6, despite being transmitted to a different fax machine number in the technology center than that indicated for formal amendments. However, to the extent that there is any disagreement on this, I have included with this transmission a petition for a 1 month extension of time, and authorized payment of the necessary fee to the deposit account of the undersigned.

The examiner is invited to contact the undersigned attorney for Applicant with any questions or comments concerning this matter.

Date: November 18, 2004



David M. Kleiman

(Reg. No. 42744)

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Intellectual Property Law

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PTO/SB/97 (08-03)

Approved for use through 07/31/2006. OMB 0851-0031

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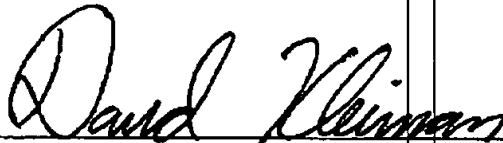
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on November 18, 2004

Date



Signature

David M. Kleiman (Reg. No. 42744)

Typed or printed name of person signing Certificate

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Fax Call Report

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42	11/ 5/2004	8:23:45AM	Send	17033083519	4:00	13	OK

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TO: Examine Amy Jo Sterling - Art Unit 3632	FROM: David M. Kleiman
CONVY: U.S. Patent & Trademark Office	DATE: 11/5/2004
FAX NUMBER: (703) 308-3519	TOTAL NO. OF PAGES INCLUDING COPIES: 13
PHONE NUMBER: (703) 308-3271	SENDER'S REFERENCE NUMBER: D9446
RE: Application No. 10/604,428 Charles Ay Confirmation No. 1437 Response to 8/5/2004 Office Action	YOUR REFERENCE NUMBER:
<input type="checkbox"/> URGENT <input type="checkbox"/> FOR REVIEW <input type="checkbox"/> PLEASE COMMENT <input type="checkbox"/> PLEASE REPLY <input type="checkbox"/> PLEASE RECYCLE	
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PTO/SB/97 (08-03)

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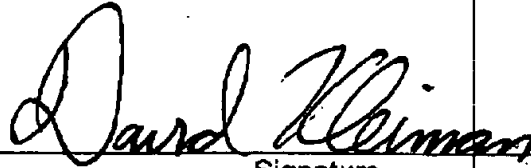
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